



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
45 L STREET NE
WASHINGTON D.C. 20554

News media information 202-418-0500
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

Report No. SCL-00356S

Thursday February 3, 2022

Streamlined Submarine Cable Landing License Applications Accepted For Filing

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in section 1.767 of the Commission's rules, 47 C.F.R. § 1.767. Pursuant to the Submarine Cable Landing License Act, 47 U.S.C. §§ 34-39, and Executive Order No. 10530, reprinted as amended in 3 U.S.C. § 301, each applicant seeks: (a) the grant of a cable landing license; (b) the modification of a cable landing license; and/or (c) the assignment or transfer of control of an interest in a submarine cable landing license.

Pursuant to its decision in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), and section 1.767 of the rules, the Commission will take action upon these applications within forty-five (45) days after release of this public notice, unless upon further examination an application is deemed ineligible for streamlined processing.

Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206. Unless otherwise specified, interested parties may file comments with respect to these applications within 14 days of this notice. Such filings will not necessarily result in an application being deemed ineligible for streamlined processing.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Submarine Cable Landing License

An application was filed by AT&T Corp. (Applicant) for a new cable landing license to allow the continued operation of the St. Thomas-St. Croix Cable System for an additional 25-year term following the expiration of the current license on April 30, 2022.

The St. Thomas-St. Croix Cable System is a non-common carrier fiber-optic submarine cable system that connects Magens Bay, St. Thomas, U.S. Virgin Islands and Butler Bay, St. Croix, U.S. Virgin Islands. The cable was originally licensed in 1996 and commenced service on May 1, 1997. See File No. SCL-LIC-19940815-00003 (previous File No. SCL-94-006), Cable Landing License, 11 FCC Rcd 14885 (IB 1996).

The St. Thomas-St. Croix Cable System is 113.708 km in length. The cable has been upgraded several times and currently consists of 12 fiber pairs in a single sheath. There will be only one fiber pair (the fifth fiber pair) in use, however, with the other 11 idle. The operating fiber pair has a capacity of 4400 Gigabits per second (Gbps). Assuming the same design capability across all 12 fiber pairs, the current design capacity for the entire cable is estimated to be 12 times 4400 Gbps, or a total of 52800 Gbps. AT&T Corp. will continue to operate the cable system as a non-common carrier cable.

According to the Applicant, the reauthorization of the St. Thomas-St. Croix Cable System will allow the continued operation of an upgraded network capable of handling the full range of emerging voice and data services and technologies, including multimedia and Internet services. AT&T Corp. states that the demand for communications services in the U.S. Virgin Islands is increasing with the growth of broadband traffic, and the continued operation of the upgraded cable will provide facilities to meet this demand. Applicant further asserts that the St. Thomas-St. Croix Cable System also increases facilities-based competition on U.S.-Caribbean, U.S.-Central American and U.S.-South American routes and provides an important connection for other cables and an alternative to other cables serving these routes. AT&T Corp. states that the cable greatly improves service quality, adds capacity and diversity, and provides increased resiliency to the above routes.

AT&T Corp. owns 100% of the St. Thomas-St. Croix Cable System. The Magens Bay and Butler Bay landing stations are entirely owned and operated by AT&T of the Virgin Islands, Inc. (AT&T VI), a direct wholly owned subsidiary of AT&T Corp.

AT&T Corp. requests a waiver of 1.767 (h)(1) of the Commission's rules, 47 CFR § 1.767(h)(1), so that AT&T VI need not be a joint applicant for the renewal application. AT&T Corp. asserts that AT&T VI will not have any ability to affect significantly the operation of the St. Thomas-St. Croix Cable System. According to the Applicant, all personnel who operate the two landing stations are supervised, directly or indirectly, by AT&T Corp. personnel. Applicant states that it has and will retain operational authority over the two cable landing facilities and will continue to provide direction to AT&T VI in all matters relating to the St. Thomas-St. Croix Cable System. Thus, accordingly to AT&T Corp., the inclusion of AT&T VI as a joint applicant is not necessary to ensure compliance by the Applicant with the Cable Landing License Act, the Commission's cable landing license rules, or the terms of any cable landing license.

AT&T Corp. is a New York corporation. AT&T Corp. is a direct, wholly-owned subsidiary of AT&T Inc., which is a publicly traded Delaware corporation whose stock is widely held by the public. According to the Applicant, no person or entity holds a 10% or greater ownership interest in AT&T Inc.

AT&T Corp. certifies that it accepts and will abide by the routine conditions specified in Section 1.767(g) of the Commission's rules, 47 C.F.R. § 1.767(g).

REMINDERS:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See C.F.R. §§ 1.2001-1.2003.

By this notice, we inform the public that submarine cable landing license applications that are part of larger transactions involving multiple Commission licenses or authorizations may involve "extraordinary circumstances" as referenced in Review of Commission Consideration of Applications under the Cable Landing License Act, Report and Order, 16 FCC Rcd 22167 (2001) and Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891 (1997), paras. 327-28, Order on Reconsideration, 15 FCC Rcd 18158 (2000). Additionally, extraordinary circumstances result where Executive Branch agencies petition the Commission to defer action on an application pending the resolution of potential national security, law enforcement, foreign policy and trade policy issues. Accordingly, these applications may be removed from streamlined processing and may not be acted on within the 90-day review period that the Commission has established as the period of time normally required to reach a decision on non-streamlined cable landing licenses. This notice shall serve as public notice to applicants that, in these circumstances, additional time may be required for Commission review and final action. No additional formal public notice will be provided routinely with respect to specific applications in the event that the applicable review period extends beyond 90 days.